

Exhibit Y

At Part ____ of the Supreme Court
held in the County of Kings, at the
Supreme Courthouse thereof, on the

____ day of March
20 22

PRESENT: Knipe
JUSTICE OF THE SUPREME COURT

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PS FUNDING, INC.,

Index No.: 503948/2021

Plaintiff(s),

**ORDER OF REFERENCE AND
DEFAULT JUDGMENT**

v.

1567 56 NY LLC; ARUTHER SPITZER;
JANE/JOHN DOE Nos. 1-12

Mortgaged Property:
1569 56th Street
Brooklyn, NY 11219

Defendant(s).
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UPON the Summons, Complaint, and Notice of Pendency filed in this action on the 18th day of February, 2021, the Notice of Motion dated September 27, 2021, the affirmation of Matthew Burrows, Esq., and the exhibits annexed thereto, the affidavit of merit and amount due by Brett Peiffer who is an Asset Manager of PS Funding, Inc., duly sworn to on August 6, 2021, together with the exhibits attached thereto, and all prior papers filed in this action and prior proceedings had herein; and

UPON proof that each of the defendants herein has been duly served with the Summons and Complaint in this action and required notices; and

AND it appearing that 1567 56 NY LLC; Arthur Spitzer; Rivy "Doe"; and Abe "Doe"'s time to answer the complaint has expired; and

AND it appearing to the satisfaction of this court that this action was brought to foreclose a mortgage on real property located 1569 56th Street, Brooklyn, NY 11219, in the County of Kings, State of New York, Block 5488, Lot 49.

NOW, on motion by Chartwell Law, attorney for the Plaintiff, it is hereby

ORDERED that defendants 1567 56 NY LLC; Arthur Spitzer; Rivy "Doe"; and Abe

"Doe" are determined to be in default; and it is further

ORDERED that Aaron Maslow with an

address of 1761 Stuart St. Bklyn NY, is

hereby appointed Referee, in accordance with RPAPL §1321, to compute the amount due to

Plaintiff and to examine whether the mortgaged property may be sold in parcels; and it is further

ORDERED that the Referee make his/her computation and report with all convenient speed; and it is further

ORDERED that, if necessary, the Referee may take testimony pursuant to RPAPL §1321; and it is further

ORDERED that by accepting this appointment the Referee certifies that he/she is in compliance with Part 36 of the Rules of the Chief Judge (22 NYCRR Part 36), including, but not limited to §36.2 (c) ("Disqualifications from appointment"), and §36.2 (d) ("Limitations on appointments based upon compensation"), and, if the Referee is disqualified from receiving an appointment pursuant to the provisions of that Rule, the Referee shall immediately notify the Appointing Judge; and it is further

ORDERED that, pursuant to CPLR 8003(a), the statutory fee of \$350.00, and in the discretion of the court, a fee of \$ _____, shall be paid to the Referee for the computation of the amount due and upon the filing of his/her report and the Referee shall not request or accept additional compensation for the computation unless it has been fixed by the court in accordance with CPLR 8003(a); and it is further

ORDERED that the Referee is prohibited from accepting or retaining any funds for

him/herself or paying funds to him/herself without compliance with Part 36 of the Rules of the Chief Administrative Judge; and it is further

ORDERED that Rivy "Doe"; and Abe "Doe" be substituted for "John Doe" and "Jane Doe" defendants in the caption of this action and that the remaining defendants captioned as "John Doe" and "Jane Doe" be removed as a party defendant in this action as no occupants reside at the property and the caption of this action be amended to reflect the removal of "John Doe" as a party defendant; and it is further

ORDERED that the caption shall read as follows:

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
PS FUNDING, INC.,

Plaintiff(s),

INDEX NO: 503948/2021

v.

1567 56 NY LLC; ARUTHER SPITZER; RIVY
"DOE", ABE "DOE";

Defendants.
-----X

And it is further

ORDERED that Plaintiff shall serve a copy of this Order with notice of entry on all parties and persons entitled to notice, including the Referee appointed herein.

This constitutes the decision and order of the court.

DATED: 3/4/22

ENTER:

J.S.C.

HON. LAWRENCE KNIPEL
ADMINISTRATIVE JUDGE